

FILED

MAR 08 2016

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

STEPHANIE E. SMITH, : Civil Action No.: 16-4032
Plaintiff, :
vs. :
NAVIGANT CONSULTING, INC., :
Defendant. :

CLERK

COMPLAINT

I. Jurisdiction

1. That this Complaint includes claims arising under the laws of the United States of America, particularly Title VII of the Civil Rights Acts of 1964, as amended, and Titles I and V of the American with Disabilities Act of 1990, as amended.
2. That this Complaint also contains a State claim for breach of contract for which this Court has pendent jurisdiction.

II. General Allegations

3. That the Plaintiff is a resident of Union County, South Dakota.
4. That the Defendant, Navigant Consulting, Inc. (NCI) is a Delaware corporation authorized to do business in the State of South Dakota.
5. That NCI is doing business in Vermillion, Clay County, South Dakota, through its subsidiary or division under the name of Alleviant.
6. That the Plaintiff was hired in October of 2013, to begin employment with Alleviant in Vermillion, Clay County, South Dakota, on November 11, 2013.

7. That the Plaintiff became disabled because of her pregnancy in the June of 2014, and she was unable to work due to that disability.

8. That the Plaintiff gave birth on July 1, 2014, at which time she requested maternity leave from Alleviant and that maternity leave was approved through August 11, 2014.

9. That on July 16, 2014, NCI terminated Plaintiff's employment.

III. First Cause of Action

10. That Defendant's termination of Plaintiff's employment discriminated against her based upon her sex, pregnancy and disability in violation of Title VII of the Civil Rights Act of 1964, as amended.

11. That the Plaintiff has suffered and will continue to suffer irreparable injury and monetary damages as a result of Defendant's wrongful acts.

IV. Second Cause of Action

12. That the Defendant's termination of Plaintiff's employment was in violation of Titles I and V of the Americans with Disabilities Act of 1990, as amended, by not allowing her reasonable accommodations or as retaliation for requesting reasonable accommodations.

13. That the Plaintiff has suffered and will continue to suffer irreparable injury and monetary damages as a result of Defendant's wrongful acts.

V. Third Cause of Action

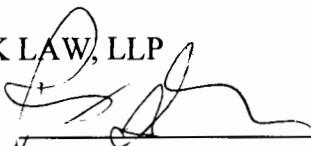
14. That the Defendant's termination of Plaintiff's employment was in violation of her contract and agreement with the Defendant to receive maternity leave as agreed to by the Defendant under her terms of employment.

15. That the Plaintiff has suffered and will continue to suffer irreparable injury and monetary damages as a result of Defendant's wrongful acts.

VI. Jury Demand

16. That the Plaintiff demands a trial by jury on all issues.

WHEREFORE the Plaintiff prays for a judgment against the Defendant for all compensatory and punitive damages, both liquidated and unliquidated, attorney fees and the costs of this action. The Plaintiff further prays for all relief allowed by law and as this Court may deem just and fit in the premises.

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